

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Michael P. Schmidt
DOCKET NO.: 04-20161.001-R-1
PARCEL NO.: 24-11-209-003-0000

The parties of record before the Property Tax Appeal Board are Michael P. Schmidt, the appellant, by attorney John P. Fitzgerald of the Law Offices of John P. Fitzgerald, Ltd., Chicago; and the Cook County Board of Review.

The subject property is improved with a two-story single family dwelling that contains 3,002 square feet of living area. The dwelling is of masonry construction with features that include a full basement and central air conditioning. The dwelling is approximately 57 years old. The improvements are located on a 13,905 square foot parcel in Worth Township, Cook County.

The appellant contends assessment inequity as the basis of the appeal. In support of this argument the appellant submitted description and assessment information on three comparables with the same classification code and neighborhood code as the subject property. The comparables were located along the same street and within the same block as the subject. The comparables were improved with two-story dwellings of masonry or frame and masonry exterior construction that ranged in size from 2,064 to 3,199 square feet of living area. The comparable dwellings ranged in age from 47 to 62 years old. Each comparable had a basement; two comparables had central air conditioning; two comparables had fireplaces; and each of the comparables had a detached garage. These properties had total assessments that ranged from \$20,331 to \$27,723 and improvement assessments that ranged from \$17,695 to \$22,194 or from \$6.94 to

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Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds a reduction in the assessment of the property as established by the Cook County Board of Review is warranted. The correct assessed valuation of the property is:

LAND:	\$	5,273
IMPR.:	\$	20,833
TOTAL:	\$	26,106

Subject only to the State multiplier as applicable.

\$8.57 per square foot of living area. The subject property has a total assessment of \$54,754 and an improvement assessment of \$49,481 or \$16.48 per square foot of living area. Based on this data the appellant requested the subject's total assessment be reduced to \$24,198.

The board of review did not submit its "Board of Review Notes on Appeal" or any evidence in support of its assessed valuation of the subject property.

After reviewing the record and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The Board further finds the evidence in the record supports a reduction in the subject's assessment.

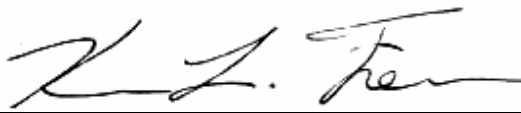
The appellant argued assessment inequity as the basis of the appeal. Taxpayers who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessments by clear and convincing evidence. Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill.2d 1 (1989). The evidence must demonstrate a consistent pattern of assessment inequities within the assessment jurisdiction. After an analysis of the assessment data the Board finds a reduction is warranted.

The appellant in this appeal submitted evidence consisting of three comparables to demonstrate the subject dwelling was inequitably assessed. The comparables were similar to the subject in style and location. The dwellings ranged in size from 2,064 to 3,199 square feet of living area and in age from 47 to 62 years old. The dwellings had similar features as the subject with the exception that each had a detached garage. These properties had total assessments that ranged from \$20,331 to \$27,723 and improvement assessments that ranged from \$17,695 to \$22,194 or from \$6.94 to \$8.57 per square foot of living area. The subject property has a total assessment of \$54,754 and an improvement assessment of \$49,481 or \$16.48 per square foot of living area. Both the subject's total assessment and improvement assessment are above the range established by the comparables. The board of review did not submit any evidence in support of its assessment of the subject property or to refute the appellant's argument as required by Section 1910.40(a) of the Official Rules of the Property Tax Appeal Board. The Board has examined the information submitted by the appellant and finds that it supports a reduction in the assessed valuation of the subject property.

This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code.



Chairman



Member



Member

Member

Member

DISSENTING: _____

C E R T I F I C A T I O N

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date: February 29, 2008



Clerk of the Property Tax Appeal Board

IMPORTANT NOTICE

Section 16-185 of the Property Tax Code provides in part:

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing complaints with the Board of Review or after adjournment of the session of the Board of Review at which assessments for

the subsequent year are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for the subsequent year directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.